

4. E PAYMENTS

DATE		Yr	Docket No	Def	MASTER DOCKET - MULTIPLE DEFENDANT CASE		PAGE		OF		VI EXCLUDABLE DELAY			
DOCUMENT NO					PROCEEDINGS DOCKET FOR SINGLE DEFENDANT						Start Date	End Date	Ltr Code	Total Days
					(OPTIONAL) Show last names of defendants									
					V. PROCEEDINGS									
11-22-93	1.	MOTION TO SEAL INDICTMENT -												
		Request for warrant fo arrest of deft.												
11-23-93	2.	ORDER ALLOWING LIMITED DISCLOSURE - Mag. Judge Denson.												
		Issued warrant for arrest - Original and one copy to U.S.Marshall												
		(Copy of indictment not attached).												
11-24-93		INITIAL APPEARANCE - at Raleigh - Mag. Judge Dixon - Recorded												
		Deft. present without counsel - advised of rights, charges &												
		Max. punishment. CJA completed.												
	3.	ORDER - The federal Public Defender is directed to provide												
		representation in this action. Mag. Judge Dixon,												
	4.	ORDER OF TEMPORARY DETENTION PRENDING HEARING PURSUANT TO BAIL												
		REFORM ACT -												
11-29-93	5.	ORDER TO SEAL INDICTMENT - Ma.g Judge Denson.												
11-29-93	6.	MOTION OT UNSEAL INDICTMENT -U.S. Attorneys Office.												
	7.	ORDER TO UNSEAL INDICTMENT - Mag. Judge Denson.												
	8.	INDICTMENT FILED - lc U.S Atty, Probaton, Pre-Trial Services,												
		Marshal, Judge Boyle and Mag. Judge Deonson.												
11-30-93		AT RALEIGH - DETENTION HEARING - Recorded. Government presented												
		evidense thru sworn testimony. Defendant ordered detained.												
		ORDER OF PRETRIAL DETENTION - Accordingly he is ordered detained												
		pending trial. Mag. Judge Denson lc U.S. Atty.,m Marshal, Pre-trial												
		Services and Atty. Gaskins. (ent. 12-6-93												
12-2-93	9.	ORDER ON PRE-TRIAL SCHEDULING - discovery - 12-20-93												
		MOTIONS - 1-6-94												
		RESPONSES - (10) business days after service of												
		motions												
		(Judge Denson) Cys: AUSA, J. Boyle & counsel jm												
12-2-93	10.	MOTION FOR DISCOVERY UNDER BRADY V. MARYLAND - filed												
		by deft. w/cs - lc: Judge Boyle jm												
	11.	MOTION FOR DISCOVERY - filed by deft. w/cs - lc:												
		Judge Boyle jm												
	12.	MOTION FOR DISCLOSURE OF IMPEACHING INFORMATION -												
		filed by deft. w/cs - lc: Judge Boyle jm												
	13.	MOTION TO REQUIRE GOVT. TO REVEAL ANY AGREEMENT ENTERED												
		BETWEEN THE GOVT. AND ANY PROSECUTION WITNESS												
		THAT COULD CONCEIVABLY INFLUENCE TESTIMONY -												
		filed by deft. w/cs - lc: Judge Boyle jm												
	14.	MOTION FOR PRODUCTION OF LAW ENFORCEMENT INTERVIEW												
		REPORTS OR NOTES WITH INDIVIDUALS WHO WILL NOT												
		BE WITNESSES AT THE TRIAL - filed by deft. w/cs -												
		lc: Judge Boyle jm												
12-15-93	15.	MARSHAL'S RETURN ON WARRANT - executed 11-24-93 by												
		Chris Jackson - Special Agent jm												
12-20-93	16.	MOTION TO ENLARGE TIME TO PROVIDE DISCOVERY MATERIAL -												
		filed by govt. w/cs - lc: Judge Boyle jm 12-20-93												
12/29/93	17	ORDER the mtn to enlarge time is Allowed - (Judge Boyle)												
		O.B.#54,P.106 c:USA,COUNSEL jh 12-20-93												
1-19-94	18	NOTICE OF INTENT TO SEEK ENHANCED PENALTY PURSUANT TO TITLE												
		21, UNITED STATES CODE, Sect. 851 - filed by govt. w/cs -												
		lc: Judge Boyle jm												
4-7-94		ISSUED NOTICE TO APPEAR for arraignment and trial on Monday, April												
		25, 1994 at 10 a.m. in Elizabeth City, NC before Judge												
		Boyle - Cys: USA, USPO, USM, Counsel & Judge Boyle & deft. jm												
5/15/94		ISSUED NOTICE FOR ARRAIGNMENT AND TRIAL on Monday, May 23, 1994												
		at 10:00am Before Judge Boyle in Raleigh, NC. lcc: USA,												
		Counsel, USM, USPO, PTS, Judge Boyle. fs												
Case 5:93-cr-00155-BO Document 18 Filed 11/29/93 Page 2 of 4														
CONTINUED TO PAGE 1														

LETTER CODES

For identifying periods of excludable delay per 18 USC 3161 (h) (Sections in brackets)

A Exam or hearing for mental/physical incapacity (18 USC 424) (1) (A1)

B NARA exam (18 USC 2902) (1) (B1)

C State/Fed. proceedings on other charges (1) (D1)

D Interlocutory appeal (1) (E1)

E Pretrial motion (from filing to hearing or to other prompt disposition) (1) (F1)

F Transfer from other district per FRCP 20.21 or 40 or Mag. Rule 6a (1) (G1)

G Proceedings under advisement, not to exceed 30 days, after all necessary submissions filed and hearings completed (1) (J1)

H Misc. proceedings arraignment, parole/probation, revocation, Deportation, extradition (1) (I1)

I Deferral of prosecution (per 28 USC 2902) (1) (C1)

J Transportation from another district or to/from examination or hospitalization in 10 days or (1) (H1)

K Consideration of Court of proper plea agreement (1) (I1)

L Prosecution deferred by mutual agreement (1) (I2)

M Unavailability of defendant or essential witness (1) (A1, B1)

N Period of mental/physical incompetence of def. to stand trial (1) (I4)

O Period of NARA commitment/treatment (1) (I5)

P Superseding indictment and/or new charges (1) (I6)

R Def. awaiting trial of co-defendant & no severance has been granted (1) (I7)

T Continuances granted per (h)(8) use "T" alone if more than one of the following reasons (T1 thru T4) is given in support of continuance (1) (B1, A1)

T1 Failure to continue would stop further proceedings or result in miscarriage of justice (1) (B1, A1)

T2 Case unusual or complex (1) (B1, A1)

T3 Indictment arrest can't be made in 30 days (1) (B1)

T4 Continuance granted to obtain or substitute counsel, or give reasonable time to prepare (1) (B1, A1)

U Time up to withdrawal guilty plea, 3161(i)

W Grand Jury indictment time extended 30 more days, 3161 (b)

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

U. S. vs

DAVIS, David Lee

93-155-07-CR-5

Yr. Docket No. Def.

AO 256A

DATE 1994	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
6-21-94	ISSUED NOTICE TO APPEAR for arraignment on 6-27-94 in Elizabeth City, NC before Judge Boyle - Cys: USA, USPO, USM, Counsel & J. Boyle				
6-27-94	AT ELIZABETH CITY - JUDGE BOYLE - C.R. SANDRA GRAHAM Deft. appeared with counsel Deft. sworn - deft. competent Rule 11 conducted MEMORANDUM OF PLEA AGREEMENT FILED - Cys: dist. Plea of guilty to Ct. 1 Govt. summarized evidence Factual basis exists for plea Plea made freely & vol. Court accepts plea Motion to dismiss Ct. 4 at time of sentencing - granted Bond: FEDERAL CUSTODY Sent: 9/12/94				
8/1/94	MOTION TO REMOVE PRISONERS - by govt. w/cs lcc: Judge Denson.				
8/1/94	ORDER - the USM service allow DEA agents and other law officers remove deft's from custody of USM and return to the custody of USM for safekeeping overnight, unless other arrangements have been permitted by the Court (Judge Denson) CR OB# 57, p. 173 lcc: USA, USM, Judge Boyle.				
8/15/94	GOVERNMENT'S MOTION TO WITHDRAW NOTICE OF INTENT TO SEEK ENHANCED PENALTY PURSUANT TO 21U.S.C. §851 - by govt. w/cs lcc: Judge Boyle.				
9-12-94	CASE CONTINUED TO 11-14-94 FOR SENTENCING				
11/17/94	ISSUED NOTICE TO APPEAR FOR SENTENCING - before J. Boyle at Raleigh on 11/28/94 at 10 am; cys: USA, cnsl, USM, USPO, PTS and Judge Boyle				
11/18/94	GOVT'S. MOTION TO CONTINUE SENTENCING- w/cs; cy to Judge Boyle				
11/28/94	GOVT'S. MOTIN FOR DOWNWARD DEPARTURE DUE TO SUBSTANTIAL ASSISTANCE - w/cs; cy to Judge Boyle				
11/28/94	JUDGMENT AND COMMITMENT at Raleigh before Judge Boyle C.R. Carol Williams BOP - 72 months Supervised Release - 5 yrs. w/ special conditions No fine or restitution S/A - \$50.00 Statement of Reasons (BOYLE) OB # 1, p. 37 cys: USA, USMS, PTS, USPO, Judge Boyle, Fine Cntr, Financial Dpty, and Cnsl of Record (Entered: 12/19/94)				
11/28/94	Presentence Report Sealed				
11/17/95	MOTION FOR CONSIDERATIN OF DEPARTURE - by govt.; cy: J. Boyle				
12/15/95	ISSUED NOTICE TO APPEAR FOR RULE 35 HEARING - set for 1/22/96 at Ral. before J. Boyle cys dist.				
1/4/96	ISSUED AMENDED NOTICE TO APPEAR FOR RULE 35 HRG. - set for 1/24/96 at 9 am before J. Boyle at Eliz. City; cys dist				

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

AO 256A

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
**8/9/95	RETURN ON JUDGMENT - deft. delivered on 7/31/95 to Federal Medical Cntr at Lexington, KY per USMS b11				
2/5/96	ISSUED NOTICE TO APPEAR FOR RULE 35 HRG. - set for 2/29/96 at 9am before J. Boyle at Ral; cys dist. b11				
2/29/96	RULE 35 HRG. - held before J. Boyle/Raleigh/C.R. Jo BUsh - Sentence modified: BOP - 40 months w/ credit for time served. Court recommends redesignation to FCI-Butner (& to be retained in this district pending disposition of J&C) All other conditions are to remain the same. Written Order to follow. b11				
3/12/96	ORDER - that the motion for departure was allowed.. Sentence modified: reduced to 40 months w/ credit for time served. Deft. to be retained in this district until the amended judgment is signed.. Thereafter, it is the recommendation of this court that deft. be confined at FCI-Butner. All other conditions of the deft's. original sentence shall remain in effect. (BOYLE) OB5, p. 210; cys dist. b11				
5/29/98	MOTION FOR REVOCATION - by USPO; cys dist. b11				
5/29/98	WARRANT FOR ARREST ISSUED - cys dist. b11				
6/22/98	ORDER - that the FPD provide representation in this action (DIXON) cys dist. b11				
7/7/98	ISSUED NOTICE TO APPEAR FOR REVOC. HRG. - set for 7/27/98 10am in Raleigh before J. Boyle; cys dist. b11				
6/24/98	NOTICE OF APPEARANCE - by AFD Ed Walker w/cs; cys dist. b11				
7/7/98	AMENDED MOTION FOR REVOCATION - cy: J. Boyle b11				
7/29/98	ORDER MODIFYING AND CONTINUING SUPERVISION - the supervised release term heretofore granted be continued with a curfew of 11:00 p.m. to 6:00 a.m. (Boyle) CR. O.B.#14, P. 53 Cys: USA, USPO, COUNSEL & USM jm				
7/30/98	RETURN ON WARRANT - deft. arrested on 6/15/98 by DUSM Rob Robeson b11				
9/29/99	ORDER AND PETITION FOR ACTION ON SUPERVISED RELEASE - sup. rel. be modified as follows: deft. is to abide by an 11pm to 6am curfew for the remainder of the sup. rel. term. The deft. shall remain w/in the confines of his residence during the aforementioned hours. Except as herein modified, the judgmt. shall remain in full force and effect. (BOYLE) OB20, p. 73; cys dist. b11				
8/29/01	PETITION FOR ACTION ON SUPERVISED RELEASE AND ORDER- Ordering that the defendant shall undergo placement in a community corrections center for a period of 30 days as arranged by the probation office and shall abide by the conditions of that program during said placement. Signed by Chief Judge Boyle and Laura A. Frederick and Phyllis R. Baker. Cys. Dist. OB#30, pg. 14. jw				